

**STATE OF NEW JERSEY
DIVISION OF CONSUMER AFFAIRS
ORTHOTICS AND PROSTHETICS BOARD OF EXAMINERS
PUBLIC SESSION MINUTES
September 16, 2008
(Sussex Conference Room, 6th Floor)**

The meeting of the New Jersey State Orthotics and Prosthetics Board of Examiners was held on September 16, 2008, at the State Office Building at 124 Halsey Street, Newark, NJ. The meeting was convened in accordance with the Open Public Meetings Act with previous notification having been sent to the Secretary of State and the following publications: The Record in Bergen County, The Star Ledger, Camden Courier Post, Trenton Times, Aisling Swift Press of Atlantic City and Asbury Park Press, to advise of the scheduling of this meeting. The meeting was called to order by Louis J. Haberman, C.P.O., (Chair) at 10:20 A.M.

OPENING STATEMENT - Reading of "The Sunshine Law"

PRESENT - Board Members: Louis J. Haberman, C.P.O., (Chair)
Mildred E. Carlascio, C.O., Robert C. Manfredi, Jr., C.P.O.
Brooke Artesi, L.O. CPED and Heikki Uustal, M.D.

ALSO, PRESENT: Deputy Attorney General, Megan Cordoma
Executive Director, Laura L. Anderson
Charles Manning, Regulatory Analyst
Maria Ormeno-Bertorelli, Recording secretary

**MINUTES - THE BOARD, UPON MOTION MADE BY BROOKE ARTESI AND
SECONDED BY HEIKKI UUSTAL , VOTED TO APPROVE THE
JULY 15, 2008 PUBLIC SESSION MINUTES AS AMENDED.**

The vote was unanimous

I. RULES AND REGULATIONS

ADOPTION NOTICES.

1. Amendment to N.J.A.C 13:44H-10.1 Fee Schedule

Adoption Notice for the amendments to N.J.A.C. 13:44H-10.1 Fee Schedule

With the attendance and assistance of Regulatory Analyst, Charles Manning, the Board reviewed comments received. The official comment period ended August 15, 2008.

Upon motion made by Heikki Uustal and seconded by Mildred Carlascio, the Board voted unanimously adopt the amendment to N.J.A.C. 13:44H-10.1 Fee Schedule and to respond to the comments as discussed.

2. Athletic Trainer Regulations

Regulatory Analyst Charles Manning alerted the Board that the Board of Physical Therapy is in the process of drafting regulations for athletic trainers and asked if the Board had any preliminary thoughts. The Board commented that the regulations for athletic trainers should not be inconsistent with Orthotic and Prosthetic statutes and regulations. For example, that athletic trainer regulations should not allow bracing which is included within the scope of practice of O&P as defined in the statute (e.g. N.J.S.A. 45:12B-3). The regulatory analyst ensured the Board that the Board would be included on the AT distribution list and would be able to make further comment on the regulation in the future.

II. LEGISLATION

A. 2nd QUARTER LEGISLATIVE REPORT

The Board reviewed a report received from Burt Liebman, Legislative Liaison, Division of Consumer Affairs, showing the history of bills on which the Board was asked to comment and legislative action taken during the quarter that ended on June 30, 2007.

The Board considered this material as informational.

B. BILL - A789/S1279 (1R) ADVANCE LAW NOTICE

The Board reviewed a copy of the recently enacted law delaying expiration dates of certain professional and occupational licenses and registrations for individuals with certain types of military services. Approved 8/12/08 P.L. 2008, c.62.

The Board considered this material as informational.

III. DIVISION OF CONSUMER AFFAIRS - PUBLIC NOTICE

The Board reviewed a Division of Consumer Affairs Public Notice of Requirements for Providers of Oxygen and Oxygen Delivery Systems

The Board considered this material as informational.

IV. OLD BUSINESS

N.J.A.C. 13:44h-6.3 Continuing education.

Commencing with the 2009 renewal, applicants for biennial license renewal will be required to attest to the completion of the required number and type of continuing education credits during the preceding biennial period.

The Board discussed whether credits completed by licensees between the years 2005 and 2006 will be recognized towards the continuing education requirement.

Upon motion made by Robert Manfredi, Jr., and seconded by Heikki Uustal, the Board voted unanimously to allow licensees to use continuing education credits from 2005-2007 biennial renewal period within the limits outlined by N.J.A.C. 13:44C-6.3(d)

V. NEW BUSINESS

A. Proposed Board Meeting Dates for Calendar Year 2009

The Board reviewed the tentative meeting dates scheduled for the calendar year 2009 and added two (2) additional meetings, April 21, 2009 and October 20, 2009.

January 06, 2009

March 17, 2009

April 21, 2009

May 19, 2009

July 21, 2009

September 15, 2009

October 20, 2009

November 17, 2009

The Board, upon motion made by Heikki Uustal and seconded by Brooke Artesi, voted unanimously to accept the scheduled meeting dates for calendar year 2009.

VI. CORRESPONDENCE

A. Public Member Resignation

The Board, reviewed a letter received from Ms. Linda Wilson, resigning from her position as public member of the Board.

The Board considered this material as informational.

B. The Prosthetic and Orthotic Society of New Jersey

The Board reviewed a letter received from the Prosthetic and Orthotic Society of New Jersey which commented on Adoption Notice for the amendments to N.J.A.C. 13:44H-10.1 Fee Schedule and which raised concerns regarding the Board's vacant positions, meetings frequency, and questions and comments with regard to the "Athletic Trainer Licensure Act."

The Board, upon motion made by Robert Manfredi and seconded by Brooke Artesi, determined that a letter response be sent to the Prosthetic and Orthotic Society of New Jersey explaining that comments in response to the licensure fee increase regulation will be published through the New Jersey Register and encouraging any interested and qualified person to apply for vacant positions on the Board.

VII. Public Attendance

Nancy Pinkin, from MBI, appeared and provided the Board with information regarding the scope of practice of Athletic Trainers and inquired into the filling of Board vacancies.

The Board thanked Ms. Pinkin and accepted her presentation as informational.

At 12:30 P.M., the Board, upon a motion made by Mr. Robert Manfredi, Jr., and seconded by Dr. Heikki Uustal, voted unanimously to move into Executive Session to consider and review consumer complaints, investigative reports and other information received pursuant to the Board's regulations. The results of these deliberations will be made known when and if the Board determines to initiate disciplinary or other enforcement action. If the Board determines to issue any sanction, that disciplinary action will be taken in a public session immediately after the session.

The meeting was adjourned at 1:00 P.M.

Respectfully submitted,

Laura L. Anderson
Executive Director